

## **REMARKS**

### **Status of the Claims**

Claims **1-21** were pending in the application. In the Office Action, claims 2-21 were rejected statutory type double patenting in view of U.S. patent No. 6,725,272 to Susai *et al.* Claims 2-11 were rejected under 35 USC § 101 as allegedly directed to non-statutory subject matter. Claims 1-7, 11-17, and 21 were rejected under 35 USC § 102(e) as allegedly anticipated by U.S. patent No. 6,314,463 to Abbott *et al.* (hereinafter “Abbott”). Claims 8, 9, 18 and 19 were rejected under 35 USC § 103(a) as allegedly unpatentable over Abbott in view of U.S. patent No. 6,820,260 to Flockhar *et al.* (hereinafter “Flockhart”). Claims 10 and 20 were rejected under 35 USC § 103(a) as allegedly unpatentable over Abbott in view of Flockhart in further view of Official Notice. In this Response, Applicants cancel claims 1-21, and add new claims 22-42. Support for the new claims can be found throughout the specification and in particular at pages 8-12 and 16. No new matter is added. Upon entry of this Response, claims **22-42** are presented for examination.

### **Rejections of the Claims**

Claims 1-21 have been cancelled from the application. Therefore, responses to the Examiner’s rejections are rendered moot. However, Applicants submit Abbott and Flockhart, alone or in combination, do not disclose, teach or suggest each and every element of original claims 1-21 or new claims 22-42. Accordingly, Applicants submit claims 22-42 are patentable and in condition for allowance.

**CONCLUSION**

In view of the above, Applicants submit that all presently pending claims are in condition for allowance, and early indication thereof is respectfully requested. If the Examiner feels that a telephone call would expedite the prosecution of this case, the Examiner is invited to call the undersigned at (617) 248-4007.

Respectfully submitted,

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